REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	06 October 2003
Name of applicant/court:	The District Court at Tauranga
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Untitled Photograph 23
Other Known Title(s):	Not Stated
Director(s):	Not Applicable
Producer(s):	Not Applicable
Publisher:	Not Applicable
Author(s):	Not Applicable
Format:	Photograph
Country of Origin:	New Zealand
Language(s):	Not Applicable

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Components of film originally examined: Not Applicable.

Feature:	Running Time:
Trailers:	Running Time:
	Total Running Time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

Untitled Photograph 23 is classified as:
Objectionable.

The publication is one of 26 photographs depicting two young women aged 14 years and 15 years in a series of sexual positions and postures. The manner of presentation of this photograph was considered under the criteria of s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act). The emphasis of the photograph, determined by angle and pose of the subject, is on the sexual characteristics of the young woman pictured. There can be little other purpose for this photograph, or any of the others, than to present these young teenage women as objects of sexual desire. To present them in this manner is to encourage a sexual interest in young persons and promote them as sexually available. Consequently the photograph promotes and supports the exploitation of young persons for sexual purposes.

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of the classification criteria. The classification of this publication interferes with the freedom of expression set out in the Bill of Rights, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable. The classification reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of young persons for sexual purposes.

OFLC No: 301244